Crl. Misc. No. 21925-M of 2007

Present: Mr. Harsh Aggarwal, Advocate,
for the petitioner.

Mr. I.P.S. Sidhu, Sr. DAG, Punjab
for the respondent-State

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Heard learned counsel for the parties.

F.I.R. in the case has been registered on the statement of Puran Singh who has alleged that his daughter Jasbir Kaur @ Jyoti has been missing since 16.11.2006, when she went to the market after informing her mother that she was going to get medicines. An inquiry was held into the matter by the DSP Tapa, who has inter alia found that Jasbir Kaur @ Jyoti remained in touch with one Gurdhian Singh and his friends. Thereafter, there was no clue about her.

The Incharge of CIA Staff Barnala in his report dated 28.2.2007 found that Jasbir Kaur @ Jyoti had telephoned the petitioner on 16.11.2006 and 17.11.2006. Learned counsel for the petitioner submits that she was demanding money on loan from the petitioner, which he had declined. The Incharge CIA Staff also found that Jasbir Kaur @ Jyoti had remained in contact with Gurdhian Singh. It has also been submitted by the learned counsel for the petitioner that even though there was no clue about Jyoti after she left her house on 16.11.2006, the petitioner had kept his laboratory open on 16.11.2006, 17.11.2006 and 18.1.2006. It is submitted that Jasbir Kaur @ Jyoti had been coming to the laboratory of the petitioner for getting her tests done. It is also submitted that the Incharge, CIA Staff, Barnala in his report dated 28.2.2007 has also observed that there was no evidence found against the petitioner in the present case. Therefore, there is no role that can be attributed to the petitioner.

Learned State counsel has submitted that Jasbir Kaur @ Jyoti has not been traced till date. It is submitted that though the petitioner has joined

investigation, however the girl has not been traced. It is also submitted that when Jasbir Kaur @ Jyoti left her home, she was aged about 17 years.

After giving my thoughtful consideration to the contentions of the learned counsel appearing for the parties, it may be noticed that the role attributed to the petitioner is that Jasbir Kaur @ Jyoti had been going to his laboratory for getting certain tests done. Thereafter, she had telephoned the petitioner on 16.11.2006 and 17.11.2006. According to the petitioner she was asking for money on loan. She was last seen in the company of Gurdhian Singh. It may however be noticed that the girl has not so far been traced.

Keeping in view the facts and circumstances of the case, it would be just and expedient to continue with the interim direction passed by this Court on 05.04.2007 for a period of 10 days so as to enable the petitioner to apply for and seek regular bail before the Court concerned.

Consequently, Criminal Miscellaneous petition is disposed of with the direction that the interim bail granted on 5.4.2007 shall continue for a period of 10 days from the receipt of the certified copy of this order. The petitioner on receiving the certified copy of this order, may apply for regular bail before the Court concerned, which shall be considered and disposed of within 10 days.

(S.S. SARON)
JUDGE

08.08.2007
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